

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

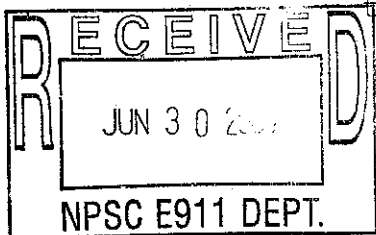
In the Matter of the Nebraska ) Application No. 911-017/PI-116  
Public Service Commission, on )  
its own motion, to establish ) COMMENTS OF COMMISSION STAFF  
interim policies for the )  
Administration of the Enhanced )  
Wireless 911 Fund pending )  
Implementation of LB 1222 ) DATED: June 30, 2006  
[2006]. )

The Nebraska Telecommunications Infrastructure and Public Safety Department submits the following comments in response to the Commission's order in Docket 911-017/PI-116 entered on June 6, 2006.

Commission staff proposed an interim implementation policy in an effort to balance the need to properly manage the limited funds available with the desire that public safety answering points (PSAPs) be permitted to continue to implement enhanced wireless 911 pending the completion of Docket No. 911-019/PI-118 instituting changes resulting from LB 1222 [2006].

The Enhanced Wireless 911 Advisory Board reviewed staff's proposal at its June 26, 2006 meeting. As a result of input received to date and upon staff's further review of the proposal, staff suggests that its proposed interim policy be amended to include the following:

- a. Pending implementation of LB 1222, the Commission will provide funding for only one PSAP per County consistent with Neb. Rev. Stat. § 86-465(1)(e) (2005 Supp.) as amended LB 1222 [2006]. Furthermore, no funding will be provided for backup PSAPs. In cases in which funding is currently being provided to multiple PSAPs within a county, the Commission will notify the PSAPs at issue. The PSAPs will have thirty (30) days to advise the Commission of which PSAP should continue to receive funding. If no decision is made, the Commission will hold a hearing to determine which PSAP shall continue to receive funding. For any new funding request from a PSAP serving a county which is served by more than one PSAP, all PSAPs within the affected county shall be notified of the funding request. No funding will be provided to either PSAP within that county until such time as the governing bodies of the multiple PSAPs notify the Commission as to which PSAP will be eligible for funding. If the



governing bodies are unable to agree as to which PSAP should receive funding, the Commission will hold a hearing and take evidence on the issue.

- b. Funding for the development of GIS data and the data repository will continue during the transition period. Any PSAP which has developed its own data, must provide that data in a form consistent with the standards set forth by the Commission to be included in the data repository prior to receiving any funding or access to the data repository. The Commission staff will be developing a policy regarding access to and use of the data repository.
- c. Finally, Commission staff would propose the following with respect to procedures for filing and processing funding requests. All PSAP funding requests, with the exception of GIS map data development, must be published upon receipt and interested parties will have an opportunity to protest or intervene in the docket consistent with Commission rules of procedure. After the thirty (30) day intervention and protest period expires, if no party has intervened or protested, the Commission could enter an order without a hearing on the information submitted if the PSAP agreed to waive its right to a hearing or schedule a hearing on the matter. All wireless service provider funding requests will also be published upon receipt and interested parties will have an opportunity to protest or intervene in the docket consistent with Commission rules of procedure. After the thirty (30) day intervention and protest period expires, if no party has intervened or protested, the Commission could enter an order without a hearing on the information submitted if the PSAP agreed to waive its right to a hearing or schedule a hearing on the matter.

In addition to the above-listed recommendations, Commission staff has also revised language to resolve some confusion throughout.

A revised proposed interim implementation policy is attached hereto as Appendix A and incorporated herein by this reference. The revised policy incorporates the three major changes listed above as well as minor language changes. The revised policy should replace the previously proposed policy in its entirety.

By Jeff I Pursley

Jeff Pursley  
Director  
Nebraska Telecommunications  
Infrastructure And Public Safety  
Department

## Staff Amended Proposed Interim Implementation Policy

### Phase I Funding

Consistent with previous Wireless Enhanced 911 Advisory Board recommendations, Phase I requests will be given priority over all other requests. All PSAPs ready to move forward with Phase I and wireless service providers should submit requests for funding consistent with Progression Order No. 5 and Commission procedures set forth herein. The Commission and staff may request additional information in order to properly consider each request.

Additionally, staff proposes working with those counties that have not yet reached landline enhanced 911 to identify ways that the Commission may assist them in implementing Phase I.

### Phase II Funding

The Commission will not fund any Phase II requests pending the implementation of the LB 1222 funding mechanism. Requests for funding for equipment which may relate to Phase II will be reviewed on a case by case basis. The completion of Phase I statewide remains the Commission's first priority. However, Phase I funding requests from those PSAPs who are prepared to accept Phase II calls and wish to implement Phase I and Phase II simultaneously at no additional cost to the Wireless Enhanced 911 Fund will be given priority over all other Phase I requests. The Commission will adopt appropriate Phase II testing standards that must be followed regardless of whether funding for Phase II is sought.

### GIS Data Development and the Data Repository

Due to the length of time necessary for development and the need statewide, funding for the development of GIS data and the data repository will continue during the transition period. Any PSAP which has developed its own data, must provide that data in a form consistent with the standards set forth by the Commission to be included in the data repository prior to receiving any funding or access to the data repository. The Commission staff will be developing a policy regarding access to and use of the data repository.

### Multiple PSAPs Within a County

Pending implementation of LB 1222, the Commission will provide funding for only one PSAP per County consistent with Neb. Rev. Stat. § 86-465(1)(e) (2005 Supp.) as amended LB 1222 [2006]. Furthermore, no funding will be provided for backup PSAPs. In cases in which funding is currently being provided to multiple PSAPs within a county,

the Commission will notify the PSAPs at issue. The PSAPs will have thirty (30) days to advise the Commission of which PSAP should continue to receive funding. If no decision is made, the Commission will hold a hearing to determine which PSAP shall continue to receive funding. For any new funding request from a PSAP serving a county which is served by more than one PSAP, all PSAPs within the affected county shall be notified of the funding request. No funding will be provided to either PSAP within that county until such time as the governing bodies of the multiple PSAPs notify the Commission as to which PSAP will be eligible for funding. If the governing bodies are unable to agree as to which PSAP should receive funding, the Commission will hold a hearing and take evidence on the issue.

### General Procedures

All PSAP funding requests, with the exception of GIS map data development, must be published upon receipt and interested parties will have an opportunity to protest or intervene in the docket consistent with Commission rules of procedure. After the thirty (30) day intervention and protest period expires, if no party has intervened or protested, the Commission could enter an order without a hearing on the information submitted if the PSAP agreed to waive its right to a hearing or schedule a hearing on the matter. All wireless service provider funding requests will also be published upon receipt and interested parties will have an opportunity to protest or intervene in the docket consistent with Commission rules of procedure. After the thirty (30) day intervention and protest period expires, if no party has intervened or protested, the Commission could enter an order without a hearing on the information submitted if the PSAP agreed to waive its right to a hearing or schedule a hearing on the matter.

All previously approved, pending and new funding requests must be allocated between wireless and landline 911 service. Only those portions directly related to wireless enhanced 911 service will be paid from the Wireless Enhanced 911 Fund. All previously approved funding requests will be reviewed and recurring payments adjusted if necessary.

All funding requests for equipment and/or hardware/software should include any additional expenses related to maintenance of the equipment and an allocation between its use for wireless and landline 911 service. Any approved funding will be paid out over time. Commission staff will work with vendors to the extent permitted by law to attempt to secure statewide rates and terms available to all PSAPs for the purchase of equipment, hardware, software and the attendant maintenance agreements.

Once Commission staff determines that money is no longer available for funding, no new funding requests will be approved.

All funding recipients, including previously approved and new applications, will be required to sign an acknowledgement that with the passage of LB 1222 all approved funding will be reviewed and may be adjusted according to the funding mechanism established by the Commission.